

4-301. Answer to civil complaint.

*[For use with Magistrate Court Rule 2-302 and
Metropolitan Court Rule 3-302]*

STATE OF NEW MEXICO
COUNTY OF _____
_____ COURT

_____, Plaintiff

v.

No. _____

_____, Defendant

ANSWER TO CIVIL COMPLAINT¹

1. The Plaintiff is not entitled to the amount claimed because:

_____.

or

1. The personal property claimed by Plaintiff should not be turned over to Plaintiff because:

_____.

2. *(If applicable)* Defendant asserts the following counterclaim or set-off against Plaintiff:

_____.

3. Trial by jury is (not) demanded. *(If Plaintiff has already demanded trial by jury, as indicated in the complaint, a jury will be provided automatically and you need not fill in this item. If Plaintiff has not demanded trial by jury, you may do so here, but if you do you must pay an additional cost upon filing this answer.)*

Date

Signed

Name *(print)*

Address *(print)*

City, State and zip Code *(print)*

Telephone number

CERTIFICATE OF SERVICE²

I hereby certify that on this ____ day of _____, _____ this _____
(insert paper served, such as "answer" or "notice") was

[mailed by United States first class mail, postage prepaid, and addressed to:

Name: _____

Address: _____

City, State
and zip code: _____]

[faxed by _____ (*name of person who faxed document*) to
_____ (*name of recipient*) at _____ (*telephone number*).

The transmission was reported as complete. The time and date of the transmission was
_____ (a.m.) (p.m.) on _____ (*date*).]

[e-mailed to _____ (*name of party or attorney*) at _____
(*electronic mail address of recipient*) upon agreement of the party to accept electronic
service. The transmission was reported as complete. The time and date of the transmission
was _____ (p.m.) (a.m.) on _____ (*date*).]

[delivered to _____ (*Specify how service by delivery was made.*
See Use Note 1 for the methods service may be made using this alternative)
_____:]

Signature of person sending paper

Date of signature

USE NOTES

1. This Answer must be filed with the court on or before the date set in the Summons.
2. This request must be served on all other parties pursuant to Rule 2-203 NMRA or Rule 3-203 NMRA. *See also* Rule 2-307 NMRA for how motions are presented to

the court.

[As amended, effective January 1, 1995; as amended by Supreme Court Order No. 05-8300-05, effective March 21, 2005.]